IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 20TH DECEMBER 2006 / 29TH AGRAHAYANA 1928

OP.No. 634 of 2003(Y)

PETITIONER:

JOSEPH, KARIKUMBIL, EAST MATTUKKATH,
KALTHOTY P.O., IDUKKI DISTRICT.

BY ADV. SRI.BIJU BALAKRISHNAN

RESPONDENTS:

----

1. **THE DISTRICT COLLECTOR, COLLECTORATE,**
   PAINAVU, IDUKKI.

2. **THE TAHSILDAR (RR), UDUMBANCHOLA,**
   NEDUMKANDAM, IDUKKI DISTRICT.

3. **THE VILLAGE OFFICER, AYYAPPANKOVIL,**
   IDUKKI DISTRICT.

4. **K.SAMIKKANNU, S/O. KRISHNASAMY GOUNDER**
   UTHAMAPALAYAM TALUK, CAMPOM TOWN, THENI DISTRICT
   TAMILNADU.

5. **K.SREENIVASAN S/O. KRISHNASAMY GOUNDER**
   UTHAMAPALAYAM TALUK, CAMPAM TOWN, THENI DISTRICT
   TAMILNADU.

BY GOVERNMENT PLEADER SRI.C.K.GOVINDAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 20/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

O.P.No.634/2003

Dated this the 20th day of December, 2006.

JUDGMENT

The original petition is filed with the following prayer:-

> ii) issue a writ of mandamus to the respondents 1 to 3 directing them not to proceed against the petitioner for the recovery of the alleged agricultural income tax or sales tax arrears due, if any, from the previous owners of the property now owned by the petitioner, and also direct the 2nd respondent to consider and dispose of Ext.P3 representation forthwith.

2. There will be a direction to the second respondent to look into Ext.P3 with notice to the petitioner and respondents 4 and 5 and take appropriate action thereon, in accordance with law, within a period of three months from the date of receipt of a copy of this judgment. The recovery from the petitioner shall be deferred till such time.

The original petition is disposed of as above.

(KURIAN JOSEPH)
JUDGE

pmn/

KURIAN JOSEPH,J.

OP.NO.634/2003

JUDGMENT

20th December,2006.